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IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

EDEL PALMA, AN INDIVIDUAL; STEVEN  
WRACHFORD, AN INDIVIDUAL; TOMAS  
TORAL, AN INDIVIDUAL; AND JOSE  
PENA, AN INDIVIDUAL,

Plaintiffs,

v.

WILLIAMS TANK LINES, A CALIFORNIA  
CORPORATION,

Defendant.

Case No. 5:11-cv-05257-PSG

**STIPULATED REQUEST TO CONTINUE  
CASE MANAGEMENT CONFERENCE  
AND RELATED DEADLINES;  
[PROPOSED] ORDER**

Complaint Filed: October 28, 2011  
Trial Date: None Set

Pursuant to Civil Local Rules 7-12 and 16-2, plaintiffs Edsel Palma, Steven  
Wrachford, Tomas Toral, and Jose Pena (collectively "Plaintiffs") and defendant Williams Tank  
Lines ("Defendant"), specially appearing, hereby respectfully request that the Initial Case  
Management Conference scheduled for December 13, 2011 at 2:00 p.m. and all deadlines related

1 to that conference be continued for sixty (60) days to allow the Plaintiffs time to complete their  
2 substitution of counsel and to then allow the Parties time to complete their obligations related to  
3 meeting and conferring per Rule 26(f), filing a case management conference statement and  
4 preparing for initial disclosures. Furthermore, pursuant to Local Rule 16-2(a), the Initial Case  
5 Management Conference should not be set for at least 90 days after the filing of the complaint. In  
6 this case, the Initial Case Management Conference was erroneously set for just 46 days after the  
7 filing of the Complaint—denying the Parties of the opportunity to adequately prepare for the  
8 Initial Case Management Conference.

9           On October 28, 2011, Plaintiff's filed their complaint, by and through their counsel  
10 of record, Michael L. Tracy. Plaintiff's served Defendant on November 1, 2011, and Defendant's  
11 responsive pleading was originally due on November 23, 2011. Shortly before the Answer  
12 became due, Plaintiffs sought to obtain new counsel—Morris Nazarian. To allow Plaintiffs time  
13 to sort out representation and issues related to their Complaint, the Parties stipulated that  
14 Defendants would have until December 8, 2011 to file a responsive pleading—a 15-day  
15 extension. Because the Plaintiffs continue to seek a substitution of counsel, the Parties are  
16 unprepared for the upcoming Case Management Conference statement. The Parties do not  
17 anticipate being able to meaningfully participate at the present case management conference on  
18 December 13, 2011.

19           The Parties have not requested a prior continuance of the Case Management  
20 Conference and related deadlines. The Parties expect that the requested extension of the date for  
21 the Initial Case Management Conference will have no adverse effect on the schedule for the case.  
22 No trial date or other deadlines have yet been set. The continuance of the Case Management  
23 Conference would promote judicial efficiency as the Parties will likely be able to more  
24 meaningfully participate in the case management conference after Plaintiffs' complete their  
25 substitution of counsel and the parties are then able to address the preparations and obligations  
26 associated with preparing for the Initial Case Management Conference and all deadlines  
27 associated therewith.

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1 Date: December 6, 2011

LAW OFFICES OF MORRIS NAZARIAN

2  
3 By: /s/ [Morris Nazarian] as approved on 12/6/11  
MORRIS NAZARIAN

4 Attorneys for Plaintiffs  
5 EDESEL PALMA, STEVEN WRACHFORD, TOMAS  
TORAL, and JOSE PENA

6  
7 Date: December 6, 2011

JACKSON LEWIS LLP

8  
9 By: /s/ [Randall J. Hakes]  
CARY G. PALMER  
RANDALL J. HAKES

10 Attorneys for Defendant  
11 WILLIAMS TANK LINES

12  
13 **[~~PROPOSED~~] ORDER**

14 Based upon the foregoing Stipulated Request to Continue Case Management  
15 Conference and Related Deadlines, the Court orders the continuance of the Initial Case  
16 Management Conference to \_ February 14 \_\_\_\_, 2012. All deadlines related to  
17 the Initial Case Management Conference are continued based on the new date for the Initial Case  
18 Management Conference.

19 Dated: December'9, 2011

20  
21 Paul S. Grewal  
HONORABLE PAUL S. GREWAL  
22 UNITED STATES MAGISTRATE JUDGE  
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